

1. The societal benefits of good behavior in prisons is substantial:

These are important benefits, although they are not very visible from outside of prison. Prison can be a stressful and traumatic experience due to the bad behavior that occurs there, such as extortion, fights, stabbings, and sexual assaults. The less these occur, the less traumatized the convict will be and the better his chance of successfully reentering society. Many ex-convicts are so damaged that they can only collect welfare. A less damaged convict is more likely to become a productive citizen.

The prison employees also experience the stress and trauma of bad behaviors. They are not often exposed to these risks as a result of a crime, but as a hazard of their job. Correction Officers and other employees sometimes experience assaults to themselves, and also witness violence. They take this emotional damage home with them.

By incentivizing good behavior prison can be a safer, less stressful place. The benefits to society in the form of healthier ex-convicts and prison employees may be substantial.

2. The risk to society of early release is minimal:

The very worst offenders are serving life sentences and so are not eligible for a good behavior reduction. The proposed legislation includes a case by case review before reduction with the DA. The very worst offenders would not pass this review, but this would be an opportunity to consider mitigating factors and other case specifics that Measure 11 forced us to ignore in the first place. Such as, prior criminal history, potential for rehabilitation, etc...

Early release would include post-prison supervision and higher risk ex-convicts would likely fail to complete treatment or violate other terms; in which case they would return to prison to complete their sentence.

3. There is a societal benefit to showing mercy to returning ex-convicts:

Inmates eligible for sentence reduction are not lifers, they are going to be released either way. We need to ask ourselves what messages our actions send to them and what our renewed social contract should look like.

The current message of mandatory minimums with no good behavior reductions says to them "you are permanently branded and disqualified from compassionate inclusion in society. Your past mistake completely defines you and nothing you do to improve yourself will ever matter."

The message we could send with a reduction is very different. "You are still a human being. You can benefit from better behavior and contributing to society. We want to offer you a conditional second chance."

Focusing on harsh punishments traps the perpetrator and the victim in the moment of the crime. Mercy allows both to move forward and begin the healing process.